

BARKLY REGIONAL COUNCIL



AGENDA

CEO REVIEW COMMITTEE MEETING

Wednesday 18 December 2024

Barkly Regional Committee Meeting will be held
in Committee Chambers, 41 Peko Road, Tennant Creek
on Wednesday 18 December 2024 at 1:10 pm.

Brody Moore

A/Chief Executive Officer

OUR VISION

We strive to be a responsive, progressive, sustainable Council which respects, listens to and empowers the people to be strong.

The Way We Will Work

We will make it happen!

We will be engaged and have regular opportunities to listen.

We will have strong policies and budgets to ensure our programs and services are progressive and sustainable.

Respect is shown in everything we do, and we have acceptance of all cultures in the Barkly Region and their practices through a culturally competent Council.

We are a responsible Committee. We will be a responsive Council.

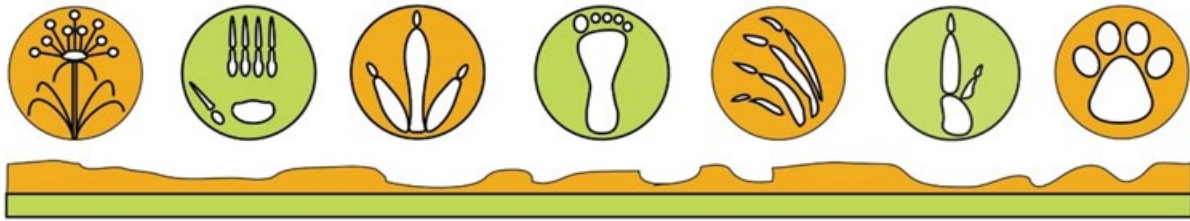
We want to empower local decision making.

We want to ensure that our services are sustainable and that our region has a standard consistent level of services.

We want to be able to sustain our environment – our communities, our physical places, our people, and our organisational culture.

We will aggressively pursue additional funding from both levels of government to improve the standard of living of people across the region. We need to be realistic, transparent, and accountable.

BARKLY REGIONAL COUNCIL



ACKNOWLEDGEMENT TO COUNTRY

We acknowledge the Traditional Owners of Warumungu, Mudberra, Jingili, Wakaya, Wambaya, Waanyi, Walpiri, Warlmanpa, Alyawarr, Anmatyerre and Kaytetye Countries on which Barkly Regional Committee live and work, the lands which we meet on today, and recognise their continuing connection to land, waters and culture. We pay our respects to the ancestors and elders of these lands, past, present and emerging.

May we continue to work together to Deliver sustainable outcomes through a process Based on mutual respect and understanding.

AUDIO RECORDING OF MEETING

An audio recording of this Committee Meeting is being made for minute-taking purposes as authorised by Council Policy *Audio Recordings of Meetings*. Councillors may request, via majority vote if required, that no recording is made where issues of legitimate cultural or spiritual significance are to be discussed.

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- Mayor Sid Vashist
- Deputy Mayor. Noel Hayes
- Cr. Sharen Lake
- Cr. Valda Naparrula Shannon

Attendance and Apologies

ITEM NUMBER: 3.1

TITLE: Attendance and Apologies

EXECUTIVE SUMMARY

This report is to acknowledge the attendance and to table, for Committee's record, any apologies received from Elected Members for this Committee Meeting.

RECOMMENDATION

That Committee:

- a) Notes the Committee Members' attendance at this meeting;**
- b) Tables apologies received for this meeting; and**
- c) Records the Committee Members' absences, without notice, for this meeting.**

BACKGROUND/DISCUSSION

Committee can choose to accept the apologies as presented, or not accept them. Apologies that are not accepted by Committee will be recorded as absent without notice.

Leave of Absence

ITEM NUMBER: 4.1

TITLE: Leave of Absence

EXECUTIVE SUMMARY

This report is to table, for Committee's record, requests for leave of absence received from committee Members for this Committee meeting.

RECOMMENDATION

That Committee:

- a) **Receives and notes requests for future leaves of absence received for this Committee meeting.**
-

Committee Code of Conduct

ITEM NUMBER: 5.1

TITLE: Council's Code of Conduct

EXECUTIVE SUMMARY

This report contains all of the details about the Barkly Regional Committee Code of Conduct Policy.

RECOMMENDATION

That Committee notes the Council Code of Conduct.

Barkly Regional Council Code of Conduct

- **Honesty and integrity**
 - A Member must act honestly and with integrity in performing official functions.
- **Care and diligence**
 - A Member must act with reasonable care and diligence in performing official functions.
- **Courtesy**
 - A Member must act with courtesy towards other members, Committee staff, Electors and members of the public.
- **Conduct towards Committee staff**
 - A Member must not direct, reprimand, or interfere in the management of Committee staff.
- **Respect of cultural diversity**
 - A Member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
- **Conflict of interest**
 - A Member must, if possible, avoid conflict of interest between the member's private interests and official function and responsibilities.
 - Where a conflict in fact exists, the member must comply with the member's statutory obligations of disclosure.
- **Respect of confidences**
 - A Member must respect the confidentiality of information obtained in confidence in the member's official capacity.
 - A Member must not make improper use of confidential information obtained in an official capacity to gain private benefit or to cause harm to another.
- **Gifts**
 - A Member must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the Committee.

- **Accountability**
 - A Member must be prepared at all times to account for the member's performance as a member and the member's use of Committee resources.

- **Interest of municipality, region or shire to be paramount**
 - A Member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

ISSUES/OPTIONS/CONSEQUENCES

The Code of Conduct Policy helps Committee to ensure that the:

- Barkly Regional Committee exercises strong and accountable governance; and
 - Constituents of Barkly Regional Committee are aware of the behaviour they can expect from members.
-

Notification of General and Non-Committee Business Items

ITEM NUMBER: 6.1

TITLE: Notification of General Business Items

EXECUTIVE SUMMARY

The purpose of this report is to allow Members the opportunity to table items they wish to be debated by Committee.

RECOMMENDATION

That the Chairperson invites Members to raise matters of concern that they wish to discuss later in the meeting.

Acceptance of Agenda

ITEM NUMBER: 6.2

TITLE: Acceptance of Agenda

EXECUTIVE SUMMARY

Agenda papers are submitted for acceptance by Committee for this Committee Meeting.

RECOMMENDATION

That the agenda papers for this Committee Meeting as presented, be received for consideration at this meeting.

Conflicts of Interest

ITEM NUMBER: 7.1

TITLE: Conflict of Interest

EXECUTIVE SUMMARY

This report outlines the minimum standard of behaviour expected of the Members in relation to declaring personal or family financial interests that may impact on the performance of their roles and ability to make objective decisions.

RECOMMENDATION

That Committee:

- a) **Notes the Conflict of Interest Policy; and**
- b) **Members declare any conflict of interest with the meeting Agenda.**

BACKGROUND

Conflicts of interest arise when members are influenced, or appear to be influenced, by personal interests when doing their jobs. The perception of a conflict of interest – the way it seems to the public - can be as damaging as an actual conflict, because it undermines public confidence in the integrity and fairness of Barkly Regional Council.

Under the *Local Government Act*, not declaring a conflict of interest or improperly disclosing information can lead to action to be taken as outline in the Act.

Examples of conflicts of interest and improper disclosure of information:

Tendering and Purchasing – financial conflict of interest

- Example: Committee has advertised for a contractor for irrigation of a football oval. A member is employed by a company which has tendered for the contract. This may affect, or it may reasonably be suspected that it could affect, their ability to make an unbiased or fair decision when the contract choice is considered by Council.

Tendering and Purchasing – non-financial conflict of interest

- Example: A contractor tendering for a Council contract for road works offers to seal the road to a member's house. The member would not be seen as impartial or fair when choosing the contractor for the job.

Information and Opportunities

- Example: a member may know a lot of information about tenders for contracts coming up in the BRC area before the tenders are made public. Conflicts can arise if the member gives this information to a friend or relative working for a company so they can have a better chance of winning the contract.

Undue Influence

- Example: a member tries to pressure a hotel in Tennant Creek into providing free accommodation, because they are a member of Committee.

Declaring a Conflict of Interest

As soon as practical after a member becomes aware of a conflict of interest in a matter that has come up or is about to come up before or during a meeting (Council, local authority or Council

committee), the member must disclose or tell the relevant interest to the meeting and to the Chief Executive Officer (CEO) of BRC.

Details of members' interests and the nature of those interests will be recorded in the relevant Register of Interests published on the Council's website and to be available for any member of the public to look over at the Council's public office.

In addition, if a member enters into a personal or business relationship with another member or Council employee that could result in a conflict of interest, then this relationship must be reported to the Mayor and CEO. A file note will be made and recorded on the relevant Register of Interests.

Uncertainty about whether a conflict of interest exists or not

If a member is unsure whether or not they have a conflict of interest, they should give full details to the CEO or seek independent legal advice.

The CEO does not have a responsibility to decide whether or not a member has a conflict of interest in a matter. The responsibility for determining whether a member has a conflict of interest is up to the individual member.

If you do have a Conflict of Interest

After a member has disclosed the nature of the interest, the member must not, without approval from the Minister:

- be present during any discussion of the meeting when the matter is being discussed.
- take part in any decision related to the matter.
- Influence another member in their decision.

Members will not become involved in the promotion or endorsement of products and/or services unless this has been approved in line with Committee's policies and Code of Conduct.

Complaints Regarding Failure to Disclose an Interest

Any person may make a complaint that a member has or may have failed to disclose or tell of a conflict of interest. All complaints should be directed to the BRC CEO.

ISSUES/OPTIONS/CONSEQUENCES

The Disclosure of Interests Policy helps Committee to ensure that:

- the business of Committee is conducted with efficiency, fairness, and integrity; and
- members act in the best interests of Committee and do not seek personal or family gain when performing their duties or use their public office for personal gain.

8 GENERAL BUSINESS

Closure to the Public for Discussion of Confidential Items

ITEM NUMBER: 9.1

TITLE: Closure to the Public for Discussion of Confidential Items

Reference <Enter Ref here>

Author {Emmanuel Okumu – Governance Manager}

EXECUTIVE SUMMARY

Pursuant to section 99(2) of the *Local Government Act 2019* and clauses 51 and 52 of the *Local Government (General) Regulations 2021*, the meeting is to be closed to the public to consider confidential matters.

RECOMMENDATION

That Committee approves the closure of the meeting to the public as confidential items are about to be discussed.

10 CONFIDENTIAL REPORTS

Confidential Reports

ITEM NUMBER: 10.1

TITLE: Terms of Reference for CEO Probation Review Committee.

Reference <Enter Ref here>

Author Brody Moore (A/Chief Executive Officer)

REASONS FOR CONFIDENTIALITY

***Status 51(1)(a)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021, which states a Committee may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information about the employment of a particular individual as a member of the staff or possible member of the staff of the Committee that could, if publicly disclosed, cause prejudice to the individual.*

11 DISCLOSURE OF CONFIDENTIAL RESOLUTIONS AND RE-ADMITTANCE OF THE PUBLIC

Nil

12 DATE OF NEXT MEETING - XXX

13 MEETING CLOSURE